IN THE HIGH COURT OF DELHI AT NEW DELHI

\+ **IA Nos.12146/2007 in CS (OS) No.1083/2006**

% Judgment delivered on: 24.10.2007

SHRI SHER SINGH SEHRAWAT. .... Plaintiff

versus

SHRI RAVI BHUSHAN SURI & ORS. .... Defendants

Advocates who appeared in this case:-
For the Plaintiff : Mr R. Dagar.
For the Defendant No.1 : Mr Davender NB. Grover with Mr Vikas Bhaduria

CORAM:-
HON'BLE MR JUSTICE BADAR DURREZ AHMED

1. Whether the Reporters of local papers may be allowed to see the judgment ?

2. To be referred to the Reporter or not ?

3. Whether the judgment should be reported in the Digest ?

BADAR DURREZ AHMED, J (ORAL)

1. This is an application under Order 23 Rule 3 read with Section 151 of the Code of Civil Procedure, 1908, for recording the compromise arrived at between the parties and decreeing the suit in terms thereof. The plaintiff had filed the suit for specific performance and permanent injunction against the defendants. The learned counsel for the plaintiff states that the main dispute was with the defendants 1 and 2 who are husband and wife. Insofar as defendant No.3 is concerned, he is not claiming any relief, any further.

2. During the pendency of the suit the plaintiff and the defendants 1 and 2 have amicably settled the matter out of Court. A

compromise Deed has also been executed on 11.10.2007 between the plaintiff and the defendants and under which the defendants have paid a sum of Rs 4,00,000/- to the plaintiff and the plaintiff has settled all his claims in respect of the suit property, namely, G-6, Sector 10, Vardhaman Plaza Dwarka, New Delhi. The agreement to sell dated 7.1.2006 is deemed to be without any effect any further. The exact terms of the settlement are recorded in the application as well as in the compromise deed dated 11.10.2007. This application has been signed by the plaintiff and the defendant No.1, who also appears on behalf of his wife (defendant No.2). The application is also supported by affidavits of Shri Sher Singh Sehrawat the (plaintiff) and Shri Ravi Bhushan Suri (the defendant No 1). The plaintiff and the defendant No.1 both are present in Court and they state that the matter has been entirely compromised and settled as indicated above. The application is also signed by the respective counsel for the plaintiff and the defendants 1 and 2. The compromise/settlement arrived at between the parties is lawful and the same is taken on record. The suit is decreed in terms of the compromise. This application is marked as `Ext. C-1' and shall form part of the decree.

3. The application, suit and all other pending applications are disposed of.

BADAR DURREZ AHMED
(JUDGE)

October 24, 2007
J